

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
WESTERN DIVISION**

ERIC DANIEL JENNINGS,)
Petitioner,)
v.) Case No. 7:22-cv-1387-AMM-GMB
K. STRAKA, *et al.*,)
Respondents.)

MEMORANDUM OPINION

The Magistrate Judge entered a report, Doc. 18, on June 14, 2023 recommending that the petition for writ of habeas corpus be dismissed without prejudice. No objections have been filed.

After careful consideration of the record in this case and the Magistrate Judge's report, the court **ADOPTS** the report and **ACCEPTS** the recommendation. Consistent with that recommendation, the court finds that the petition for writ of habeas corpus is due to be denied and the claims dismissed without prejudice.

A final judgment will be entered.

This court may issue a certificate of appealability "only if the applicant has made a substantial showing of the denial of a constitutional right." 28 U.S.C. 2253(c)(2). To make such a showing, a "petitioner must demonstrate that reasonable jurists would find the district court's assessment of the constitutional claims

debatable or wrong,” *Slack v. McDaniel*, 529 U.S. 473, 484 (2000), or that “the issues presented were adequate to deserve encouragement to proceed further.” *Miller-El v. Cockrell*, 537 U.S. 322, 336 (2003) (cleaned up). The court finds the petitioner’s claims do not satisfy either standard.

DONE and **ORDERED** this 18th day of July, 2023.


ANNA M. MANASCO
UNITED STATES DISTRICT JUDGE